

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ERIN MARTINEZ,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 1:25-cv-00375-KES-CDB (SS)

ORDER ON STIPULATION EXTENDING
NUNC PRO TUNC DEFENDANT'S TIME
TO FILE A RESPONSE TO PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT

(Doc. 18)

December 1, 2025, Deadline

Pending before the Court is Defendant's second stipulated request to extend the deadline to file a response to Plaintiff's motion for summary judgment, filed on the day of the current deadline. (Doc. 18). Defendant seeks an extension from October 27, 2025, through and including December 1, 2025. In support, Defendant represents that, as of October 20, 2025, the Social Security Administration has determined that counsel "may perform work on cases arising under 42 U.S.C. § 405(g) during the current lapse in appropriations as excepted work" and that "counsel has many pressing deadlines resulting from the lapse in funding." *Id.* at 2-3.

In the Eastern District of California, "[r]equests for Court-approved extensions brought on the required filing date for the pleading or other document are looked upon with disfavor." Local Rule 144(d). While the Court finds good cause to grant the requested extension, here, it should have become apparent to Defendant that it required an extension of time before the October 27, 2025, filing deadline. The Court disfavors granting relief *nunc pro tunc* and

1 admonishes the Defendant to exercise better care and to adhere to this Court's Local Rules in all
2 future filings.

3 **Conclusion and Order**

4 For good cause shown by the parties' stipulated representations, it is HEREBY ORDERED:

- 5 1. Defendant is granted relief *nunc pro tunc* and shall file the response to Plaintiff's motion
6 for summary judgment no later than **December 1, 2025**; and
7 2. Any optional reply shall be filed in accordance with the Court's scheduling order. (Doc. 5
8 ¶ 5).

9 IT IS SO ORDERED.

10 Dated: **October 28, 2025**

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13 UNITED STATES MAGISTRATE JUDGE
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